



BUREAU OF AUTOMOTIVE REPAIR

BAR Advisory Group Meeting

Red Lion Hanalei Hotel

Tuesday, September 12, 2006



MEETING MINUTES

♦ Advisory Group Members in Attendance:

Paul Frech
Jim Custeau
Bob Constant

♦ BAR Staff in Attendance:

Dennis Kenneally
Marty Gunn
Alan Coppage
Kate McGuire
Gene Kendall

Mike Vanderlaan
George Adelsperger
Debbie Romani
Ken Wardlow
Gil DeLuna

Dick Sullivan
Wayne Ramos
Judy Cabral
Jeanne Jackson

♦ Welcoming Remarks and Introductions – Dennis Kenneally, BAR Assistant Chief

The meeting was called to order at 6:00 P.M. Introductions were made of all the Advisory Group members and BAR staff introduced themselves.

Assistant Chief Dennis Kenneally introduced DCA Director Charlene Zettel.

♦ Director's Remarks:

Director Zettel thanked the audience for coming. She had high praise for BAR's former Chief Richard Ross, James Goldstene, former Deputy Chief of Consumer Assistance and Administration and Rich Mundy, former Deputy Chief of Enforcement for their great leadership and dedication to helping consumers. She provided an overview of the last eighteen months of BAR activities. She mentioned the new Smog Check Program, continuing efforts with the Consumer and Industry outreach efforts, and reiterated BAR's goals for the Breathe Easier campaign, BAR as a resource for industry, continuing efforts of reaching out to underserved communities, non-English speaking populations and military personnel. She would like to see performance measure feedback from industry on services to licensees. She ended with a special thank you to Assistant Chief Dennis Kenneally.

♦ Agenda Item: BAR OVERVIEW and discussion – Dennis Kenneally, Assistant Chief, BAR

A. BAR Ombudsman

Assistant Chief Kenneally suggested that BAG participants form working groups to review the Ombudsman duty statement, which was distributed to BAG members and provide feedback.

- B. BAR Web-site
Solicited suggestions from BAG members.
- C. Newsletter
Next Advisory Group meeting is November 13, 2006. Auto Repair & Smog Check News Production Schedule for 2006/2007 provided to BAG members.
- D. BAG Meeting dates and location
Requested input from BAG members about number of meetings and location(s).

♦ **Legislation & Regulation Discussion – Marty Gunn, BAR Inspection & Maintenance (I/M) Field Operations**

The two bills that have made it to enrollment or the Governor's desk are:

- Senate Bill 1849
This is clean-up language to the Business & Professions Code and Health and Safety Code. It was enrolled and sent to the Governor on September 6, 2006.
- Assembly Bill 1870 (Lieber Bill)
This bill incorporates a visible smoke test into the Smog Check inspection.

Pending Regulations

- Revised Guidelines for Disciplinary Penalties and Terms of Probation
3356 of the California Code of Regulations. Comment period ended on 8/31/2006.
- Invoice Requirements Individual Prices for Parts and Service/Repairs
3356 of the California Code of Regulations. Comment period ended on 8/31/2006.
- Technical Clean-up; Deletion of All Remaining References to BAR-90 Test Analyzer Systems
3303.2, 3340.15, 3340.18, 3340.32, 3340.41, 3394.5 of the California Code of Regulations
 - Section 100 – change without regulatory effect.
- Brake & Lamp Station and Adjuster Revisions
3305, 3315, 3320 of the California Code of Regulations. Comment period ended 8/30/2006.

♦ **Change of Over the Counter Smog Certificate Sales - Marty Gunn, BAR Inspection & Maintenance (I/M) Field Operations.**

BAR, along with DCA will soon be transitioning to a new database application

- Cashiering services will be totally centralized.
- The Applicant Tracking System (ATS) is an improvement over the current BAR licensing system in that it affords greater accuracy, better integration and has enhanced reporting features.
- ATS will have little affect on industry. Licensees and registrants that purchased Brake & Lamp certificates, BAR publications such as the Smog Check Inspection manual, Brake & Lamp Adjuster manuals, and other BAR publications through their local field office, will need to purchase them by mail. Order forms are available on line and order forms along with pre-addressed envelopes will be available at the local field offices. Turn around time can be 7 days, however utilizing UPS and overnighting can reduce turn around time.
- Industry will be notified of the transition to the new ATS system for cashiering via direct mailer, BAR newsletter, postings at field offices and ET Blast.

♦ **Air Quality Management District's Local Issues – Rob Reider, Planning Supervisor, San Diego Air Pollution Control District.**

Presentation on Air Quality Management in San Diego County

- San Diego Snapshot
Demographics on population, employment, vehicles and square miles
- Industry Sectors
Government, Professional & Business Services, Leisure & Hospitality, Retail Trade, Education & Health Services.
Lack of heavy industry helps air quality
- Types of Pollutants, Principal Pollutants:
Ozone, Particulate matter, carbon monoxide nitrogen dioxide, sulfur dioxide, lead
Toxic Pollutants: Benzene, Butadiene, Chromium, Diesel Exhaust
- How Ozone is formed in San Diego County.
- Control of Air Pollution
- San Diego County Air Pollution Control District
- Budget & Revenue, Annual Budget of \$19 million
- Air Monitoring Stations
- Attainment Status
- Ozone Precursor Emissions
- Major Ozone Improvement Despite Growth
- Toxic Air Contaminants, Incremental Cancer Risk
- California Trends
- International Borders
- Ports of Entry
68,000 vehicles, 30,000 pedestrians and 2,500 trucks cross the border on a daily basis.
- Growth in Border-Crossing Truck Traffic
- Border-Crossing Trucks, 95 percent are U.S. manufactured, 25 percent are pre-1980, 85 percent are fueled with Mexican diesel.
- Diesel Truck Retrofit Demo, \$200,000 Federal grant funds placing diesel oxidation catalysts on 60 border trucks at a cost of \$3,500 per device. This device provides a 25 percent reduction in particulate matter and a 40 – 50 percent reduction in carbon monoxide & hydrocarbons.
- Ships and Fishing Boats will be the main focus of the Air Resources Board in the next decade. There will be a bond measure in November for funding of port.

♦ **Dragnet Update - Allen Coppage, BAR Inspection & Maintenance (I/M) Field Operations**

Why Dragnet?

- An increasing number of street racing related deaths and serious injuries.
- Law enforcement states that vehicles modified with speed equipment are more likely to participate in illegal street racing events.
- “Fix it tickets” were not an effective tool to fight street racing.
- To create a deterrent to illegal street racing

Statewide Dragnet Program – Started October 2005

- Office of Traffic Safety (OTS) distributes \$5,000,000 in grants to multiple law enforcement agencies.
- Law enforcement officers are trained to identify and cite illegally modified vehicles.
- All vehicles cited for violations of VC 27156 (b) and 27150 (a) are sent to the BAR Referee for a complete Smog Check inspection. No “fix it tickets”.

Dragnet Statistics

- Ten law enforcement agencies currently participate in the Dragnet program.
- Since the distribution of the statewide OTS grants, 1,500 officers have been trained. More than 5,500 have been trained since 2000.
- More than 3000 citations have been issued since October 2005.

What Role Does BAR Play?

- POST certified BAR instructors co-train with law enforcement to equip patrol officers with knowledge vital to identifying illegal emissions components.
- BAR provides demonstration vehicles to give “real world” examples of what officers will see on the streets.
- In many cases these highly modified vehicles pollute at gross polluter levels.
- Vehicle owners must return their vehicles to legal configuration before the Referee will certify the vehicle.
- The Referee inspection includes a complete visual, functional and emissions inspection.
- The current average number of visits to a State contracted Referee to clear an enforcement citation is 2.5 visits.

Dragnet Results

- Illegal street racing has been dramatically reduced. “Dragnet and BAR are out there.”
- Highly modified, potentially gross polluting vehicles are being brought into compliance.
- Street racing related deaths and injuries have been dramatically reduced. In San Diego County alone, deaths have gone from 16 in 2001 to none since 2004.

◆ **Consumer Assistance Program (CAP) Update – Marty Gunn, BAR I/M Field Operations**

- CAP retired 15,000 vehicles and repaired more than 33,000 vehicles for Fiscal Year 2006. The goal this fiscal year is to retire 19,000 vehicles and repair 45,000 vehicles.
- Program improvements and outreach efforts are being utilized to increase participation. AB 383 (Montanez) adjusted CAP eligibility requirements to 225 percent of the federal poverty guidelines.
- The Vehicle Retirement auto dismantler contracts expire on 2/28/2006 and CAP is preparing to release a new Invitation For Bid (IFB) for new dismantler contracts around the second or third week of October 2006. BAR is collecting an interested party’s list and will advise stakeholders when the IFB is released on the internet.
- BAR participated at the State Fair by crushing a car each night and passing out CAP applications.

- ◆ **Review of the Gold Shield Citation process** – Dick Sullivan, BAR I/M Field Operations
- ◆ **Smog Check Station Evaluations, Trends, BAR Findings** – Dick Sullivan, BAR I/M Field Operations

Issues of highest priority are consumer education, proper testing, clean piping and repair effectiveness. BAR's enforcement goal is to stay in touch with the trends of the industry and consumers to achieve the maximum environmental benefits intended by the California Smog Check Program, to achieve the highest possible standard for proper testing and vehicle emissions repair to ensure consumers are well informed and get what they pay for and, to protect the industry from unfair and dishonest businesses.

- ◆ **Smog Technician Advisory Update and Discussion** – George Adelsperger, BAR Smog Check Technical Services Branch

Standards & Training Unit

- The 2007 course will be required to renew smog licenses expiring January 31, 2007 & beyond.
- Over 90 percent of the certified instructors completed the Training for Trainers course to prepare them to teach the new course.
- BAR has shipped materials to more than 125 instructors.
- Schools are advertising course availability

Referee Contract

- Referee contract with the Foundation for California Community Colleges (FCCC) extended through 6/30/2007.
- An adjustment occurred making several sites part-time.
- Work on is under way.

Examinations

- The Occupational Analysis for Smog Check Technician licenses is complete, and BAR has received the Validation Report.
- BAR continues to develop new exam questions and exams.
- Contract with Thomson Prometric was extended – no gap in services. They will have 24 sites operating by the end of September.
- Contracts proposals for a new exam administration contract due later in September.

Roadside Inspection Unit

- Both teams are doing inspections in Orange, and San Diego counties this week.
- Motorist participation is voluntary,
- Full ASM tests are performed.
- Information is used for data analysis only.

♦ **Trends in Enforcement Actions – Ken Wardlow, BAR Consumer Protection Operation**

Enforcement Actions Fiscal Year 2005/2006

- Autobody/Auto Glass Investigation Closures comprise 48 percent of BAR Complaints.
- Steering/Brakes comprise 11 percent of complaints.
- Transmissions (Auto Trans, Drive Train and Manual Trans/Clutch) comprise 10 percent of complaints.
- Tune-up and Engine Overhaul comprise 5 percent and 4 percent respectively.
- Unlicensed Activity and Air Conditioning/Cooling comprise 2 percent each.
- Certification (Brakes, Lamp) and Starting/Charging comprise 1 percent each.
- All other complaints (Boat Repair, Exhaust, Lien Sale/Storage, Lube/Oil Change, Motorcycle Repair, New Car/Lemon Law, Part Sale, Towing, Upholstery, Vehicle Warranty and Repair Warranty constitute an additional 11 percent of BAR complaints.
- Advised that BAR is seeing a higher number of Lube/Oil Change complaints. There may be a need to break out statistics for this area in the future.
- Investigations closed in Fiscal Year 2005 for CPO is 330.

♦ **General Public Comments**

Jim Custeau would like to see more resources for cutting edge training at the community colleges. He has requested that BAR provide better training materials. He suggested that money be invested to better train Smog Technicians. Jim has volunteered to assist BAR with Web-site issues.

Charlie Peters asked questions during every phase of the meeting which were answered by BAR staff. During the public comment period he asked Mike Vanderlaan if a decision had been made on Low-Pressure Fuel Evap. Mr. Vanderlaan advised that there has been no decision made as of yet.

Congratulations were given to Kate McGuire by several audience members for her outstanding work on the latest Auto Repair and Smog Check publication.

♦ **Adjournment: 8:45 PM**

♦ **Next Meeting Date:** To be determined from input provided from BAG members.